

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 33.1-373 of the Code of Virginia, relating to payment of penalties and*  
3 *costs associated with enforcement of prohibition on certain advertising.*

4  
5 Approved

[S 888]

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That § 33.1-373 of the Code of Virginia is amended and reenacted as follows:**

8 **§ 33.1-373. Signs or advertising on rocks, poles, etc., within limits of highway; civil penalty.**

9 Any person who in any manner (i) paints, prints, places, puts or affixes any sign or advertisement  
10 upon or to any rock, stone, tree, fence, stump, pole, mile-board, milestone, danger-sign, guide-sign,  
11 guidepost, highway sign, historical marker, building, or other object lawfully within the limits of any  
12 highway or (ii) erects, paints, prints, places, puts, or affixes any sign or advertisement within the limits  
13 of any highway shall be assessed a civil penalty of \$100. Each occurrence shall be subject to a separate  
14 penalty. All civil penalties collected under this section shall be paid into the Highway Maintenance and  
15 Operating Fund. Signs or advertisements placed within the limits of the highway are hereby declared a  
16 public and private nuisance and may be forthwith removed, obliterated, or abated by the Commissioner  
17 of Highways or his representatives without notice. The Commissioner of Highways may collect the cost  
18 of such removal, obliteration, or abatement from the person erecting, painting, printing, placing, putting,  
19 affixing or using such sign or advertisement. When no one is observed erecting, painting, printing,  
20 placing, putting, or affixing such sign or advertisement, the person, firm or corporation being advertised  
21 shall be presumed to have placed the sign or advertisement and shall be punished accordingly. Such  
22 presumption, however, shall be rebuttable by competent evidence. In addition, the Commissioner or his  
23 representative may seek to enjoin any recurring violator of this section. The Commissioner of Highways  
24 may enter into agreements with any local governing body authorizing local law-enforcement agencies or  
25 other local governmental entities to act as agents of the Commissioner for the purpose of (i) enforcing  
26 the provisions of this section and (ii) collecting the penalties and costs provided for in this section. *Any*  
27 *such agreement may provide that penalties and costs collected pursuant to such agreement shall be paid*  
28 *as agreed.*

29 The provisions of this section shall not apply to signs or other outdoor advertising regulated under  
30 Chapter 7 (§ 33.1-351 et seq.) of this title.

ENROLLED

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